

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of San Diego Gas & Electric Company (U 902 E) for a Certificate of Public Convenience and Necessity for the Miguel – Mission 230kV #2 Project.

Application 02-07-022

**ADMINISTRATIVE LAW JUDGE’S RULING
REQUESTING ADDITIONAL SERVICE OF MOTION**

On August 30, 2002, San Diego Gas & Electric (SDG&E) filed a pleading entitled: “MOTION OF SAN DIEGO GAS & ELECTRIC COMPANY (U 902 E) TO CONSOLIDATE THE EVIDENTIARY RECORD IN PHASE III OF DOCKET I.00-11-001, AND TO TAKE OFFICIAL NOTICE OF THE DECISION OF THE FEDERAL ENERGY REGULATORY COMMISSION IN DOCKET EL02-54-000 AND THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR’S FINDING OF PROJECT NEED AND COST EFFECTIVENESS” (Motion).¹

At the Prehearing Conference (PHC) held on September 6, 2002, SDG&E indicated that they had not served the Motion on anyone, as there was no official service list for this proceeding at the time the Motion was filed. SDG&E inquired as to whom it should serve its Motion on. ALJ Allen instructed SDG&E to provide copies to the other attendees at the PHC, and to additionally serve the Commission’s Office of Ratepayer Advocates (ORA). This Ruling modifies that instruction.

¹ The use of shorter titles for pleadings is encouraged.

SDG&E is requesting that the evidentiary record in another proceeding before the Commission (I.00-11-001 Phase III) be consolidated with this docket, and is further arguing that the Commission rely significantly, if not exclusively, upon that prior evidentiary record in reaching a decision in this proceeding.² SDG&E's Motion indicates that there is a close relationship between the issues addressed in I.00-11-001 Phase III and the issues to be addressed in this proceeding. It is plausible that the parties to I.00-11-001 Phase III may therefore also have an interest in this proceeding.

Accordingly, to ensure that the parties in I.00-11-001 are aware that issues addressed in that proceeding may also be addressed in this proceeding, SDG&E shall serve its Motion, along with a copy of this Ruling, on all parties on the service list for I.00-11-001 Phase III, within 10 days of the date of this Ruling. SDG&E shall also include a notice of availability of its Application in this proceeding, informing recipients that a copy of the Application will be provided by electronic or overnight delivery to any recipient who requests a copy.

Any party to I.00-11-001 who wishes to respond to SDG&E's Motion may do so without prior leave to intervene, but should incorporate a brief statement of its interest in this proceeding in its Response. Responses to SDG&E's Motion are due 15 days after service, consistent with Rule 45(f) of the Commission's Rules of Practice and Procedure.³ All Responses should be served on the service lists in I.00-11-001 Phase III and in this proceeding, including electronic service on ALJ Allen at pva@cpuc.ca.gov.

² SDG&E is also requesting that the Commission take official notice of an Order of the Federal Energy Regulatory Commission and of a determination by the California Independent System Operator.

³ Any party to this proceeding who has already provided an on-the-record oral Response to SDG&E's Motion need not provide a separate written response, but may do so if they choose.

IT IS RULED that:

1. SDG&E shall serve its Motion, along with a copy of this Ruling, and a notice of availability of its Application, on all parties on the service list for I.00-11-001 Phase III, as described above.
2. Responses to SDG&E's Motion are due 15 days after service, as described above.

Dated September 17, 2002, at San Francisco, California.

/s/ PETER V. ALLEN

Peter V. Allen
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail, and by electronic mail to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Administrative Law Judge's Ruling Requesting Additional Service of Motion on all parties of record in this proceeding or their attorneys of record.

Dated September 17, 2002, at San Francisco, California.

/s/ TERESITA C. GALLADO
Teresita C. Gallardo

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.